LESLIE MARTIN SHAMIS, ESQ. P.O. Box 570 Long Beach, New York 11561 516-889-9105 Attorney for Plaintiff

MITCHELL MALZBERG, ESQ. MITNICK & MALZBERG, P.C. 29 Race Street P.O. Box 429 Frenchtown, New Jersey 08825 908-996-3716 Co-counsel for Plaintiff

SAMMART FASHION CO. LTD.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Plaintiff,

:

:

Case No. 07 CV 4035 JUDGE BATTS

**HEYMAN CORPORATION ONLY** 

-against

: NOTICE OF MOTION FOR DEFAULT JUDGMENT AS AGAINST DEFENDANT

WEAR ME APPAREL CORP. d/b/a KIDS HEADQUARTERS and HEYMAN CORPORATION

Defendants,

TO: Heyman Corporation c/o Lawrence Heyman, President 414 Washington Avenue Glencoe, IL 60022

## SIRS:

PLEASE TAKE NOTICE that the undersigned will move before the United States District Court for the Southern District of New York on February 26, 2008, at the United States Court House located at 500 Pearl Street, New York, New York, Courtroom 24B before the Honorable Deborah A. Batts, for an Order entering default judgment on behalf of the plaintiff and against the defendant Heyman Corporation.

PLEASE TAKE FURTHER NOTICE that in support of the within motion, plaintiff shall rely upon the annexed Certification of Dora Tong, sworn to December 28, 2007 and Affirmation of Leslie Martin Shamis, Esq., duly affirmed January 22, 2008.

PLEASE TAKE FURTHER NOTICE that the within motion is brought before the Court pursuant to Rule 55, and it is hereby requested that this matter be decided upon the moving papers. A proposed form of Order is annexed hereto.

Attorney for Plaintiff

Dated: Long Beach, New York January 24, 2008